

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION
2:97 CR 71**

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

PAMELA MARLENE VINSON,)

Defendant,)

and)

**THE STATE OF FRANKLIN
HEALTH COUNCIL, INC.,**)

Garnishee.)

_____)

ORDER

This matter is before the Court on the Government's Motion for Dismissal of Order of Continuing Garnishment (Doc. 35).

On January 29, 1998, Defendant was sentenced to 15 months of incarceration for her conviction of embezzling, stealing and intentionally misapplying government property in violation of 18 U.S.C. § 666(a)(1)(A). As part of the Judgment in the criminal case, Defendant was ordered to pay an assessment of \$50.00 and restitution of \$115,923.00 to the victims of the crime.

On November 1, 2010, the Court entered a Writ of Continuing Garnishment ("Writ") (Doc. 24) to The State of Franklin Health Council, Inc, ("Garnishee").

An Order of Continuing Garnishment (Doc. 27) was entered on July 2, 2015 in the amount of \$108,273.00, as computed through October 28, 2010, and directed Garnishee to pay the United States up to twenty-five percent of Defendant's net earnings which remained after all deductions required by law had been withheld and one hundred percent of all 1099 payments, until the debt to the Plaintiff was paid in full or until Garnishee no longer had custody, possession or control of any property belonging to Defendant, or until further Order of this Court.

On February 12, 2019, the Government filed its Final Accounting of Garnishment (Doc. 33) which advises that the United States Attorney's Office, Financial Litigation Unit has received 252 garnishment payments from Garnishee, totaling \$108,273.00. The instant Motion requests that the Court dismiss the Order of Continuing Garnishment (Doc. 27) as the balance of the assessment, fine, and /or restitution debt has been satisfied.

For the reasons stated, the Government's Motion for Dismissal of Order of Continuing Garnishment (Doc. 35) is **GRANTED** and this Court's Order of Continuing Garnishment (Doc. 27) is **TERMINATED**.

Signed: February 13, 2019



W. Carleton Metcalf
United States Magistrate Judge

